IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

)
8:06CR268
)
) ORDER
)

This matter is before the Court on the stipulation of the parties (Filing No. 44). Pursuant to the retroactive amendment to the cocaine base guidelines, the defendant's final offense level is reduced from 23 to 21. His criminal history category remains at V. The government and defense agree that his sentence should be reduced to seventy (70) months imprisonment, considering the prior computation of specific offense characteristics, adjustments, and departures. Accordingly,

IT IS ORDERED:

- 1) The stipulation of the parties is approved and adopted; the sentence of the defendant is reduced to seventy (70) months.
- 2) Defendant shall receive credit for all time served on the sentence imposed on March 8, 2007.

3) The conditions of supervised release entered in the original judgment and committal order remain in full force and effect.

DATED this 25th day of August, 2009.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge United States District Court